

MORNING APPEAL

FRIDAY, FEBRUARY 25, 1879

NEVADA LEGISLATURE—NINTH SESSION.

Senate—Fifty-third Day.

CARSON CITY, February 27, 1879.

The Senate convened at 10:30 o'clock with the President in the Chair. Quorum present. Prayer by Rev. Mr. Davis. Minutes of previous day read and approved.

PETITIONS.

By Comins, from citizens of White Pine, favoring the reduction of fares and freights; also, from the same county, against interference of with the E. & P. R. R., the latter signed by 12 persons.

Cassidy asked that a petition from Eureka be read, which was sent to the Committee of Fourteen, and which was signed by 800 citizens.

Stewart then asked to have the petition from Storey County, signed by 3,000 citizens read. King called for reading of the names. Objection being made, Stewart demanded the reading as showing how earnest the business men of the State were in this matter, but gave away because of the time which would be consumed in the reading.

The petition and communication from Eureka were then read.

The Chair decided that the communication was a private one addressed to Senator Boardman and had no place before the Senate.

Stewart appealed from the decision of the Chair.

Boardman explained that he had thought the matter intended for the use of the committee, and as subject matter relative to the proceedings of the committee he had sent it up with other papers.

King stated that it had not been read before the committee.

Boardman said he had formally presented the communication and asked if the Senator could explain why they had not demanded by motion to hear it read.

Comins thought the six Senators who were members of the committee had been spoken of disrespectfully and ought to resent it.

Boardman thought he was the one who had been unjustly dealt with and challenged any one to state wherein he had not acted justly and fairly.

Cassidy thought the Chair technically correct as to the communication, but it seemed necessary that it should be read in explanation of the petition.

Creswell regretted that anything personal occurred in the communication, as he felt that it properly belonged to the Senate and must vote that way.

Decision of the chair sustained by a vote of yeas 16, noes 7.

REPORTS OF COMMITTEES.

By Schultz, from Committee on Claims, without recommendation Senate bill 146, relative to payment of claims against the several counties.

By Martin, from Committee on Engrossment, that several bills so ordered were correctly engrossed.

By Blair, from Committee on Mines and Mining, favorably on Senate bill 140, to encourage prospecting in mines.

By Meder, that several bills were found correctly enrolled.

By Powning, from Committee on State Affairs, unfavorably on Senate bill 87.

By Boardman, from Judiciary Committee, unfavorably on Senate bill to amend the Civil Practice Act.

By Comins, from Committee on Ways and Means, Senate bill 143 without recommendation, to amend the Public School Act; also a substitute for Senate bill 2, relative to reduction of taxation.

By Wheeler, from Committee on Public Morals, favorably on Senate bill 111.

MESSAGE FROM THE GOVERNOR.

Announcing his approval of Senate bill 76, to amend the Civil Practice Act; also Senate bill 99, to amend the Public School Act; also Senate bill 80, authorizing aliens to acquire and hold real estate in this State; also Senate bill 105, to amend the Orphan Home Act.

MOTIONS AND RESOLUTIONS.

By King—To reconsider the vote on Senate bill 75. Carried.

By Comins—To take Senate bill 124, the appropriation bill, from Committee of the Whole and refer to Committee on Ways and Means. Carried.

By King—That all Senators shall be confined to five minutes for debate, unless by unanimous consent of the Senate.

Boardman opposed the resolution, as did also Creswell, who termed it a gag law.

Comins said that members on his side of the house generally wanted him to sit down in less than five minutes.

Meder favored the resolution.

Resolution lost.

Stone moved to take Senate bill 29 from the file and refer it to the Committee on Elections. Carried.

Cassidy moved to take up, out of order, substitute for Senate bill 2 for adoption. Carried. Substitute read, adopted and placed on file.

Recessed for one hour.

AFTERNOON SESSION.

Reconvened at 1:15 p. m., the President in the Chair.

BILLS INTRODUCED.

By Martin (without notice and by request)—To authorize the appropriation of \$5,000 for the purpose of cultivating the ground of the Nevada Agricultural Society in Carson. Referred to Committee of the Whole.

By Wheeler—To provide for heating the Senate and Assembly Chambers by stoves before the next meeting of the Legislature. Referred to Committee on State Affairs.

By Martin (without notice and by request)—To appropriate certain moneys for perfection of the title to the State Prison property. Mr. Meder moved to reject the bill. So ordered.

By King (without notice)—To authorize the payment of State officers their salaries. [Provides for paying them when there is money in the Treasury before the passage of the general appropriation bill. Referred to Committee on Ways and Means.

By Cassidy—To authorize the County Commissioners of Eureka to pay the claims of C. M. Bennett for drafting plans of county buildings. Under suspension of the rules passed.

By Farrell (without notice and by request)—To provide for supporting the Orphan Asylum at Virginia City. Referred to Judiciary Committee.

Allen's Assembly bill 5, to restrict gambling. Referred to Committee on Public Morals.

Wermuth's Assembly bill 95, to encourage the sinking of artesian wells. Referred to Committee on Public Lands.

Van Sickle's Assembly bill 107, to amend the Act relative to the Kingsbury toll road. Referred to Committee on Roads and Bridges.

GENERAL FILE.

Price's Assembly bill 105, relative to special taxes. [Provides for collection of school taxes.] Passed unanimously.

Boardman's Senate bill 58, to provide for the purchase of Hawley's Digest and Sawyer's Reports.

Mr. Comins moved to amend by making the number 400 copies. Carried.

Mr. Farrell moved to amend by making the price \$5 instead of \$6. Carried.

Bill passed. Ayes 15, noes 9.

Hanna's Assembly bill 23, to prohibit the employment of Chinese. Returned to the Assembly as not in its proper place.

Harlow's Assembly bill 84, to amend the Vagrancy Act. Indefinitely postponed.

Cassidy's Senate bill 95, to provide that all contracts entered into by the State with any parties shall be recorded in the Secretary of State's office. Passed unanimously.

Haines' Senate bill 107—To amend the Act relative to County Commissioners. (Defines their duties in election cases.) Passed. Ayes 16, noes 7.

Westerfield gave notice of a motion to reconsider the vote just had.

Cassidy's Senate bill 90—To establish a river basis in this State.

Meder moved to lay on the table. Ayes and noes called. Motion carried. Ayes 13, noes 10.

Senate bill 20—To amend the Revenue Act. (To exempt church property to the amount of \$5,000.)

Moved to amend by making the amount \$1,000.

Mr. Farrell opposed the amendment and presented petitions from all parts of the State praying for entire exemption, and urged the passage of the bill as drawn.

Motion to amend lost.

King moved to amend by making the amount \$3,000. Carried.

Comins moved to amend making exemption for widows to the amount of \$1,000. Carried.

Comins moved to amend by exempting the property of Mexican war veterans to the amount of \$500. Lost.

Bill ordered engrossed.

Schultz Senate bill 128—To discontinue litigation touching inequitable claims for taxes and penalties. (The so-called Bonanza bill.)

Mr. Schultz spoke in favor of the bill at length.

Meder and Creswell opposed the bill, as did also Mr. Boardman at length and earnestly.

Cassidy defined his position and that of his party upon this question with clearness. He claimed that the bill did not contemplate special legislation (as had been claimed by Senator Boardman) and would apply to mining companies in every county in the State. That the collection of these back taxes at this time would fall mostly upon innocent parties, the property having materially changed hands during the last few years.

Creswell made further argument against the bill heaping much sarcasm upon these corporations as subjects for sympathy at the hands of this State.

Boardman still claimed unconstitutionality and a most dangerous precedent for such legislation to be had.

Meder moved to amend by striking out sections 2, 3, and 4. Lost by vote of ayes 9, noes 15.

Bill passed by the following vote:

Yeas—Blair, Cassidy, Dayton, Doolin, Gallagher, Gibson, King, Martin, Perley, Schultz, Stone, Thompson, Wheeler, Westerfield, 14.

Noes—Boardman Comins, Creswell, Farrell, Kaiser, McConnell, Meder, Powning, Stewart, Shepherd, 10.

Adjourned at 4:40 p. m.

Assembly—Fifty-Fourth Day.

Convened at 10:30 a. m. Speaker Gaston in the chair. Prayer by Rev. Mr. Weir.

Indefinite leave of absence granted Mr. Wermuth.

PETITIONS.

By Underwood, from citizens of Washoe County—That since the passage of the Williams bill no further legislation is required.

REPORTS OF COMMITTEES.

By Allen, from Judiciary Committee—Favorably to amend Section 131 of the Civil Practice Act; also, favorably Assembly bill 132, amending the County Commissioner Act; also, favorably Assembly bill 127, providing for extra terms of District Courts; also, favorably Assembly bill 128, amending the Act relative to rewards; also, without recommendation, Senate bill 128, amending the Act relative to rewards; also, without recommendation Senate bill 118, to admit to probate the will of John Larcombe.

By Crawford, from Committee on Agriculture—Favorably Assembly bill 125, to reward the killing of noxious animals; also, adversely Assembly bill 126, to create a fence law.

By Lyon, from Committee on Military—Favorably Senate bill 101, to amend the Militia Law.

MESSAGE FROM THE GOVERNOR.

Announcing his approval of Assembly bill 64, to regulate the measurement of charcoal.

MOTIONS AND RESOLUTIONS.

By Shakespeare—To pay L. Duncan for services as porter. Referred to Committee on Contingent Expenses.

By Robinson—To limit members to five minute speeches. Laid on the table.

BILLS INTRODUCED.

By Harlow—To authorize the distribution to ex-Governors of the State of the Statutes and Journals. Referred to Judiciary Committee.

From Judiciary Committee—A substitute for the bill to provide for collection of debts under \$25. [Makes five days' notice equivalent to an attachment, providing suit be brought within that time. Referred to Committee of the Whole.

King's Senate concurrent resolution to amend the State Constitution by fixing the time of meeting of the Legislature on the first Monday in February. Laid on the table.

Senate bill 131, to amend the Act providing for payment of indebtedness of White Pine County. Referred to White Pine Delegation.

Shepherd's Senate bill 94, amending the election law. Referred to Committee on Elections.

Blair's Senate bill 130, to prohibit the killing and branding of cattle. Referred to Committee on Agriculture.

Senate bill 125, to provide for filing of printed copies of reports of State Officers. Referred to Committee on Ways and Means.

King's Senate bill 52, to provide for registration of voters in case of death or absence of registration agent. Referred to Committee on Elections.

Recessed for one hour.

AFTERNOON SESSION.

Reconvened at 1 p. m., President in the chair.

GENERAL FILE.

Senate bill 4, to amend the Lien Law. Laid on the table.

Assembly bill 91, for payment of claim of H. Knight, Assessor of Eureka County. Passed. Ayes 34, noes 9.

Senate bill 60, to define the liabilities of pawnbrokers. Laid on the table.

Senate bill 97, to amend the Homestead Act. Passed.

Stewart's Senate bill 92, to prevent posting bills and advertisements without permission. Passed.

The special order being Foulks' Assembly bill 89, relative to waters of the Truckee river, it was considered and passed.

On motion of Melarkey resolved into Committee of the Whole for consideration of the Woodburn bill and others so referred. Mr. Melarkey was called to the chair and the Woodburn bill taken up.

Fisk moved to recommend its passage.

Wilson moved to recommend to lay it on the table, which motion prevailed by rising vote of 27.

Substitute for Senate bill 82, fixing salaries of county officers. After various amendments the Committee rose and asked leave to sit again on this bill. Agreed to.

GENERAL FILE.

Senate bill 120, to detect and punish incendiarism. Passed. Ayes 41, noes 5.

Senate bill 65, to redistrict the Judicial districts of the State. Passed.

Senate bill 121, in relation to apprentices. Referred to Committee of the Whole.

By leave Williams introduced a bill to pay \$275 to Zoe S. Eldridge for services in making report of State Prison for 1866 and 1867.

Adjourned at 3:45 p. m.

THE BEST CIGARS IN CARSON!

It is only necessary to hint to the discriminating smoker and enlightened chewer that there is a fresh arrival of best brands of imperial and domestic cigars; also leading brands of smoking and chewing tobacco at Farrell's Telegraph Cigar Store, Ormsby House Block.

LUMBER.

See advertisement of Mr. E. M. Hunt of the Lake Tahoe Lumber yard, where can be purchased on the very best of terms the choicest of seasoned lumber and all sorts of things in the way of boards and things. Take special note of the said advertisement.

BLOODY AFFRAY AT BODIE.

ONE MAN KILLED, ONE MAN MORTALLY HURT AND ANOTHER WOUNDED.

(Special to the MORNING APPEAL.)

Bodie, February 27.—A desperate shooting affair occurred here this evening between George Taft, engineer at the South Bulwer, and Henry Heath, a miner. They had some difficulty last night, and meeting this evening near the Post Office, immediately commenced firing. Taft was instantly killed. Heath was shot through the wrist, and Con. Sullivan, a bystander, was shot through the stomach, supposed to be fatal.

MEETING OF THE STATE CENTRAL COMMITTEE.

The Secretary of the Republican State Central Committee has issued a notice of a meeting of that body on Saturday at Virginia City. We can not imagine what it means. The notice appears in our advertising columns.

DRESSED LUMBER, ETC. TO ORDER.

Attention is called to the new advertisement of Hunt & Maish, whose planing mill and wood-fashioning and turning establishment is ready to supply all carpenters and builders and the general public with all sorts things in their line.

A WORD FROM MR. LINDSAY.—A telegram from Hon. Robt. H. Lindsay yesterday requests the statement at our hands that he never authorized the announcement that he would appear at the Ingles Benefit last night; that the announcement that he would do so was entirely unauthorized; that he was thereby placed in a very unpleasant attitude before the public. We cheerfully make this rather tardy disavowal, with the remark that the unwarranted use of gentlemen's names by show people and others is an inexcusable and outrageous piece of impertinence.

THE AU FAIT BALL.—Do not forget the delightful whirl under the auspices of the Au Fait Club, at the Opera House to-night. The enchanting exercise, stimulated by the fascinating strains of Varney's exquisite harmony, begins at 8 o'clock.

WIND STORM.—A tremendous storm of wind and a fearful stirring up of dust was the order of the day yesterday; and the wind and the dust made the night altogether dreadful.

COMFORTABLE.—Doctor Waters informed us last night that Charley Martin's condition was quite comfortable. Glad to hear it.

JOHN CENSY will find a message at the Western Union Telegraph office.

ALWAYS AHEAD.

Instead of waiting for the turn of the season before getting new goods, we take pleasure in informing our patrons that we have just received a Complete New Stock of Dress Goods and exquisite Fancy Goods which we offer at such remarkably low prices that they would induce the most stingy father and husband to dive down for his bottom dollar.

We have received a consignment of One Hundred Cloak with positive instructions to close them out at any price, and we will do it. MRS. J. SHEYER & CO. Carson, January 28, 1879. d30

FRAMES, BRACKETS, WALL POCKETS. CLOCK SHELVES, ETC.

R. FRED. BROOKS,

School and Blank Books, Stationery, Sheet Music, Musical Instruments, Cutlery, Jewelry, Toys, Fancy Goods and Beautiful PICTURE FRAMES, of all sizes. Old Books, Music, Serials, or Pictorials Beautifully rebound.

Samples of binding on hand for inspection. BREECH LOADING SHOT GUNS AND RIFLES. Self-loading Pistols, Cartridges and Ammunition of every description.

General Newspaper Agency: Daily Enterprise, Virginia City Chronicle, Nevada and California Dailies and Weeklies, Eastern Pictorials, Magazines, and Periodicals promptly delivered to any part of town or country, at the lowest possible rates. R. FRED. BROOKS, Opposite the Post Office, Carson City, Nevada.

ATTENTION TO LICENSE.

I WILL BE PROMPTLY AND REGULARLY IN MY OFFICE

Every Day at 10 o'clock A. M., AND WILL REMAIN

Each Day until 4 o'clock P. M.,

And there and within those hours will issue County and City Licenses.

LOYD HILL, Sheriff, And ex officio License Collector. Carson, February 8th, 1879. 1m

EXCHANGE ROTISSERIE.

CLESCOVICH & CO., PROPRIETORS.

Northeast corner of Carson and Second Sts. 27 Family Entrance on Second street, opposite the Ormsby House.

THIS WELL-KNOWN AND LONG-ESTABLISHED first-class Restaurant and Oyster Stand is kept open from 5 o'clock A. M. until 2 A. M. The cooking and all the facilities are unsurpassed by any establishment of the kind, here or elsewhere.

Orders will receive prompt attention.

Mr. Clescovich will superintend personally. January 7, 1879.

C. BILLINGS, DENTIST.

Rinckel's Block, Carson, Nev. Twenty-five years honorable practice in California and Carson City. J7d

San Francisco Stock Exchange Sales

MORNING BOARD.

Opair	40 40 1/2
Mexican	44 44 1/2
Gould & Curry	12 1/2 11 1/2
Beck & Belcher	20 20 1/2
California	6 1/2
Consolidated Virginia	5 1/2 6
Chollar Potosi	46
Hale & Norcross	15 1/2 16 1/2
Crown Point	4 1/2
Yellow Jacket	12 1/2 12 1/2
Savage	13 1/2
Alpha	18 1/2
Belcher	6 1/2 6 1/2
Confidence	14
Imperial	1 1/2
Kentuck	4 1/2
Sierra Nevada	50 1/2
Utah	17 1/2
Bullion	6 1/2 6 1/2
Excelsior	5 1/2 5 1/2
Seg. Belcher	27
Overman	2 1/2 2 1/2
Justice	4 1/2
Succor	4 1/2
Union Consolidated	30 30 1/2
Alta	5 1/2
Lady Bryan	1 7/8
Julia	5 1/2
Caledonia	2 1/2
Phil Sheridan	40 1/2
Challenge	3 1/2
Silver Hill	2
Sutro	20 1/2
New York Con.	45 1/2
St. Louis	50 1/2
Leviathan	55 1/2
Andes	50 1/2
North Con. Virginia	13 1/2 14 1/2
Lady Washington	1 1/2
Benton	4 1/2
Flowerly	40 1/2
W. Fargo	15 1/2
Solid Silver	60 1/2
N. Bonanza	1 3/8
Ward	1 1/2
Scorpion	1 1/2
Baltimore	1
Roswell	2 1/2
Mackay	3 1/2
Douglas	40 1/2
Potosi	1 1/2
Dardanelles	3 1/2

EVENING BOARD.

Raymond & Ely	5
Eureka Con.	25
Jackson	7½
Northern Belle	9½
Highbridge	60c
B. Isle	30c
Grand Prize	4½
Belmont	40c
Manhattan	2 50
Argentina	1 05
Mono	3
Bodie	6½ 6
Navajo	15
Blower	10½
Paradise	2 15
Hussey	7½
Hillside	2 10
Pacific	2 15
Bechtel	7½
Dudlev	7½
Tonga	1 15
Goodshaw	50c
G Terrace	10
Tipton	30c
Day	30c
M White	9
McClintock	75c
Star	60c
Summit	3 10
Endowment	10c
Independence	4½
Belvidere	75c
Booker	75c
Silver King	10
Orontal	40c
Black Hawk	60c